

VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE MEETING MINUTES

July 29, 2004

Moneta Smith Mountain Lake Library

Attendance: All VRRBAC members except Sen. Ruff, Del. Byron, Del. Hurt, Del. Wright, and Evelyn Janney. Ann Austin represented Representative Goode. DEQ: Greg Anderson; DCR: Tim Ott

Call to Order:

Chairman Feild called the meeting to order.

Recognition of New members and Visitors:

Chairman Feild welcomed everyone and recognized the new members, visitors, and guests. New members were Delegate Onzlee Ware, John Lindsey, and George Stovall. Visitors and guests included Bill Brush, Smith Mt. Lake Assoc. (SMLA) and Roanoke River Basin Water Conservation Alliance, Bob Camicia, SMLA and URRR, Stan Smith, SMLA, Jerry Lovelace, Halifax Co., Barry Dunkley, Danville, Harrel Johnson, Roanoke River Basin Assoc., Jerry Foltz, Meade Westvaco, Richard Huff, Franklin Co., Shane Sawyer, Roanoke Valley Alleghany PDC, Lynn Barner, SMLA, Delegate Allen Dudley, Tucker Watkins, Senator George Allen's Office, Russ Johnson, Franklin Co. BOS, and Andrew Smith, Va. Farm Bureau Federation.

January 21, 2004 and April 5, 2004 meeting minutes:

The minutes from both meetings were approved.

Welcome, Richard E. Huff II, Franklin County Administrator

Rick Huff welcomed the members to the area and reviewed pertinent facts about the region.

- Franklin County has a land area of 692 sq. miles. The 2003 estimated population is 49,095. This represents a 3.8% increase between 4/1/2000-7/1/2003. The number of housing units in 2002 was 23,641 and the median household income in 1999 was \$38,056.
- Bedford County has a land area of 754 sq. miles. The 2003 estimated population is 66,661. This also represents a 3.8% increase between 4/1/2000-7/1/2003. The number of housing units in 2002 was 27,837 and the median household income in 1999 was \$43,136.
- The Tri-County Lake Administrative Commission – TLAC is Funded 45% by Bedford & Franklin Counties and 10% by Pittsylvania County. It is considered as a joint department of the three counties. It oversees lake related issues including navigation markers, debris removal, non-native weed removal, and recommends legislation to the three counties. It is the focal point for many lake residents to contact with problems.
- Drinking water is a big issue for the region. Smith Mountain Lake serves as a water source to Bedford County PSA today who at present withdraws about 100,000 gpd. Six months ago they were using about 50,000 gpd. New connections have been made down the 122 corridor. In fact they are now flushing the lines down to Franklin County so that water can cross the Hales Ford Bridge. There is a regional agreement between the two counties. Franklin has purchased about 400,000 gpd of capacity in their system and can negotiate up to up to 1 million gpd. This agreement was hammered out in about 4 months, which indicates the high level of cooperation between the counties. Both had the same purpose, that is a lower cost than operating separate systems. Franklin pays the same as Bedford. Contract has been awarded for first phase of Bedford PSA connection in Franklin County from Hales Ford Bridge to Westlake Corner. Franklin County's 20-year plan estimates that 2.5 MGD from SML will be needed. Bedford County is planning on SML providing up to 4 mgd in the 20 year planning horizon. This scenario makes lake water quality and watershed protection increasingly important. Franklin County is simultaneously performing Health Department required tests for a future water withdrawal (2.5-mgd) on

the Blackwater Tributary of SML. The County is applying for a permit and hopes to secure this in the near future. However, this intake will be constructed only if development occurs in this area. Currently there are not enough customers to do it.

- In Franklin County, the lake districts generate 56.5% of real estate tax revenue. Although the districts go all the way to Rocky Mount there is no doubt that the lake development generates a large amount of tax revenue for the county. This allows the County to do things well, such as improving the school system, that it otherwise be unable to do. In Bedford County, the lake district produces 27.7% of the real estate tax revenue. There is also a fast growing commercial base around the lake.
- The 3 counties plan to push a water release protocol during the AEP FERC relicensing efforts. Water levels at the lake and on the rivers are important for many reasons. Franklin and Bedford Counties currently enjoy an ISO rating of 7 within 1000 feet of Smith Mt. Lake. This is a good rate and is due to the fire-fighting boats at the lake. A picture was shown of a fireboat grounded during a drought. Also showed grounded recreational boats.
- Pittsylvania County is more involved with the Leesville Lake issues, which are equally challenging! There are similar debris problems and widely fluctuating water levels. Leesville is a potential future water supply source. The lake is beginning to experience significant development.
- SML State Park is another jewel on the Bedford County Side. This is a wonderful facility and gets a lot of use. Franklin County is currently building a 37-acre park on its side of the lake.
- Lake Care Issues include debris removal/diversion, navigational aid maintenance and installations, invasive weeds and other species, siltation, recreational access, holding tank discharge control and enforcement, and safety issues/enforcement.
- Water Quality needs include additional monitoring, historical data comparisons, assessment of impacts, and definition of watershed implications. Franklin County was the site of one of the state's first TMDL studies and recommended action plans on the Blackwater arm of the lake. We have learned a lot about DEQ's TMDL process. Many folks have struggled with that process and still do today.
- **Question: Is the new Franklin Co. park owned by the State?** The County owns it but has a long term lease with the State.
- **Question: What is the Unemployment Rate in the Counties?** 3.3% in Franklin but not sure about Bedford.
- **Question: What percent of the waterfront development has public water and sewer?** There is none on the Franklin Co. side. On the Bedford side there is a little plant doing about 30000 gpd but that's ramping up as more are being built as we speak. We are really just getting into that business.
- **Question: What is the acreage of the lake?** About 21000 acres.
- **Question: How many full time residents are at the lake?** It is difficult to say because how do you define the lake? Is it just immediately adjacent or how far off the lake do you include? Someone did a study and determined it was 16000.
- **Question: So if the lake was not here, would taxes on the average citizen be greatly increased?** Either that or services would be greatly reduced.
- **Comment: Then the economic impact associated with the lake and other lakes in the basin is huge!** Yes. I did not really get into tourism but that plays a major role also. Franklin and Bedford Counties will be hosting a Bass Masters Tournament in the fall. The notoriety, which goes with such event, is immeasurable. This is not just due to our tourism efforts but because of this wonderful lake. How do you put a price tag on these things?

Stan Smith, Smith Mountain Lake Association Board of Directors; “Special Tax District Proposal to Fund Lake Care” and “Ferrum College/SMLA Locally Funded Water Quality Monitoring Program”

Smith Mt. Lake (SML) is often called the Jewel of the Blue Ridge. It has about 20,000 acres, 500+ miles of shoreline, and a watershed of over 1000 sq. miles. It is located equidistant (35 miles) from Roanoke and Lynchburg. Franklin, Bedford & Pittsylvania Counties Border the Lake. In order to safeguard the lake the local interested parties have established a water quality monitoring program (WQMP) and are searching for permanent funding for essential protection processes. Below is a summary of the presentation about these efforts.

WQMP

- The Smith Mt. Lake Association (SMLA) and Ferrum College professionals manage the WQMP. 42 volunteers from SMLA are trained each year. They collect total phosphorus, nitrate, and chlorophyll a samples at 53 sites. These samples are collected from a level twice the depth of the water clarity. Water clarity is measured at those sites and another 25 sites for a total of 78 sites on the lake. The samples are collected 6 times, every other week, during the summer. The samples are frozen and picked up by Ferrum students the next week when they collect the fecal coliform samples. Analysis is conducted by Ferrum WQ Lab
- Ferrum students are paid to collect samples for fecal coliform at 14 sites for six sampling periods. Ferrum WQ Lab conducts the analysis, and Ferrum Professionals compile the data and issue the final report.
- In 1986 Dr. David Johnson, Ferrum College, presented a paper concerning data collected at the lake by Drs. Johnson and Thomas. This information attracted the attention of SMLA and in 1987 SMLA and Ferrum College launched the SML-WQMP. Sampling was conducted for nutrients. From 1987 – 89, funding was provided by the Va. Environmental Endowment. The Commonwealth of Virginia supplied funding from 1990- 2002. AEP and the 3 Counties have provided funding since this time, raising money through "Friends of the Lake".
- In 1995 fecal coliform was added to the parameter list. A trial of DNA bacterial tracking was conducted in 1999 and from 2000-2004 Antibiotic Resistance Analysis, a form of Biological Source Tracking (BST) was conducted.
- The data indicates that lake water quality is not uniform as the trophic status at the dam is better than high up on the two rivers. Therefore zone analysis should be conducted. There appears to be an upward trend for average total P and Chlorophyll A. Secchi Depth average appears relatively constant. There is no crisis but the lake is aging.
- However, the results in 2003 were alarming. Nitrates were in a satisfactory and customary range. However, total phosphorus ranged for prior six years from 25 to 35 ppb. In 2003 the average of 460 samples was 54.4 ppb or a 76% increase. Chlorophyll-A for the prior six years ranged from 3.8 to 4.1 ppb. In 2003 the average from 460 samples was 8.7 ppb or a 118%. Secchi Depth (a measure of clarity) ranged for the prior six years from 2.1 to 2.6 (avg) meters. In 2003 the decreased to an average of 630 readings of 1.9 meters. Fecal Coliform counts in marina coves and headwaters were the highest found in 8 years of sampling. Human sources were identified in all but one of the major tributaries. These poor results were due to heavy rains. Most people think that next year with less rain things will be better. That's not true as many of the nutrients that come to the lake remain because they settle out in the sediment.
- SML is currently a healthy lake. However, lakes are much like living organisms and can get sick and can (not will) die! It can become polluted, choked with weeds, filled with sediment, and have low dissolved oxygen (stagnant).

- SML has serious symptoms now including debris, impaired tributaries, non-native weeds, and green water/adverse WQMP results. We get barrels of chemicals, hypodermics from farms, old tires, and other trash. We do not really have a weed problem but a few years ago we started to have one. TLAC gave us money and we treated about 175 acres with herbicides. Since then conditions have not been favorable, as water levels have come back up and we continue to treat problem areas. There is no hydrilla that we know of.
- Images of debris in a cove on the Blackwater River arm, a SML watershed map demonstrating the tributaries declared "Impaired" by DEQ for fecal coliform and nutrients, and Hydrilla in Lake Gaston were shown.

Special Tax District Proposal

- Lake Maintenance 2003 cost about \$300000, and there are 13500 lake properties, which comes to about \$25 for Lake Maintenance per property. By lake property, it is meant that there is legal access to the lake. This is very low when you consider the value of the asset. Funding currently comes from the State (\$35K), counties (\$112K), AEP (\$85K), and other (\$15K) sources. About \$50 K is used to pump bigger boats holding tanks like houseboats using the Royal Flush boat and a pump truck. \$31K is spent to treat invasive weeds, \$130K for debris removal and \$36K for the basic WQMP. In addition there is about \$45 K spent on navigation aides.
- More maintenance \$ needed for education, expertise, water quality monitoring including the Basic program, peer review of past data and web site, sedimentation study, computer models for quantity and quality, debris control including removal and capital expenditures for two unloading sites and two catch basins, and invasive aquatic plants. Need to educate farmers about their impact on the lake, homeowners on maintenance of septic systems because many know nothing about it, and boat owners on holding tanks and the importance of sanitary disposal. We need access to a trained limnologist on the staff of some lake organization or a consultant on retainer. The sedimentation study is really needed, not to see how fast the lake is filling up but rather because sediment is the vehicle of nutrients entering the lake. The more we know about sedimentation the more we know about pollution effects. We need to look at our monitoring protocols and change them as necessary. Computer models are needed concerning flow and to help play "what if" games on the computer to see if we can control some aspect of aging to determine impact on lake life. We need dedicated sites where debris can be unloaded. It really makes sense to remove the debris before it reaches the lake. We constantly need to be concerned about invasive species.
- Water, Quality Coalition has been searching for permanent and timely funding since early 2003. This Coalition is made up of ALAC, at large members, CC/P, SM Lake Association, SML Boating Association, and the SML Marine Vol. Fire & Rescue Squad.
- SML Stakeholders are the adjoining counties, tourists/fishermen, residents, businesses, and AEP. SML is a critical economic engine producing property taxes and revenue from tourism. To get permanent funding we are trying to establish a service district. VA code is very clear on the establishment of service districts and purposes. Clearly our efforts to protect the water quality of SML fall under the code in our ability to do this. We hope to fund this district with continuing existing funds including the State, Counties, and AEP at current levels, tourism/fisherman decals, and property owners annual assessment.
- A proposed budget would include revenues from annual \$60 fees from on-water properties and \$35 annually from off-water properties with lake access, a \$25 decal per boat for the life of a boat for lake residents, and a \$25 decal per boat each season for non- lake residents. The boat decal fee will likely be dropped because it is not worth the fight. The cost of enforcement is almost equal to the revenue raise by the decal. This would raise \$1,100,000 + annually.
- The funds would be administered by a Board of Directors comprised of lake property owners(elected), a representative from each adjoining county, an AEP representative. The duties and responsibilities of

TLAC might be combined with the new organization, which would probably be named the SML Water Quality Service District.

- The action required to form a Service District includes the demonstration of support from lake residents, an agreement on details for assessment and decal fee collection, enforcement powers, public hearings and the passage of the same enabling ordinance by each adjoining county, and other undefined requirements.
- Virginia Precedents include Lake Barcroft, which is a private lake, but it is WID rather than a Service district. In addition Non-lake Service Districts, downtown improvement districts community association road improvements, and Sewerage Districts.
- The proposed schedule is to get legal opinions from TLA by July 30th, have a town meeting and start a petition drive by Sep 16th and 17th, and to complete a draft of the proposed ordinance language by Sept. 30th. In addition there must be negotiations with Counties on implementation strategies, public hearings on final version of ordinance language, and a vote on the final ordinance by the three Counties.
- **Question: How can you create this Service District? There are Service Districts in NC for Lake Gaston but in VA we operate under the “Dillon Rule” and I am told that localities can not tax any more than legislature allows.** You are absolutely right but there are many service Districts in VA, usually for downtown improvements, sewerage improvements, homeowner associations, street improvements in home owner associations, and there is even one at Lake Barcroft in NOVA. It is my understanding at Lake Gaston that the proposal is for a watershed improvement district but it does not exist yet. But clearly it can be done in VA. There was disagreement with this statement and one person indicated that Lake Barcroft was just not comparable. As an editorial comment The “Dillon Rule” deals with the interaction and the relationship between the state and local governments. In 1868, Judge John F. Dillon wrote on the topic of state and local relations, providing a framework for interaction between the two entities. Dillon sanctioned state control over cities and judicial supervision of that control. The power of municipalities was limited to those powers "expressly granted, necessarily or fairly implied, or absolutely indispensable" to the local governments
- **Comment: Senator Hawkins stated that some creative thinking would need to be done to get this idea to work. There are different examples out there but it is going to require a lot of work to accomplish it.** Stan Smith does not think it is a problem because of the existing law and legal advice received to date. If the Counties will pass identical ordinances they can establish a service district which would have the power to tax. He also believes it is covered under the “Dillon Rule” because the legislature has already passed enabling code to allow Service Districts to be created.
- **Comment: Chairman Field indicated that it appeared there are issues here that may have to be elevated to the General Assembly but the topic is of importance to the other lakes also.**

Bill Brush, Director, Smith Mountain Lake Association and Chairman of the Roanoke River Basin Water Conservation Alliance; “Update on Discussions with Stakeholders Concerning the Smith Mountain Project Release Protocol Analysis”.

Bill had discussed this protocol at the last meeting of VRRBAC as a way to manage flows in the basin particularly in times of drought. Since that time he and others have been talking to other groups and agencies about it and getting feedback.

- Traveled to Clarksville and spoke to the ACOE, Lake Gaston Association, and Kerr Reservoir Association. These groups were reportedly impressed with the fact that the entire basin was being looked at and that upstream interest did not want to impact downstream users. ACOE felt the methodology was sound as it is similar as to how they operate. One person questioned how often the protocol would come into effect. Historically there have been 12 instances in 36 years. He believed this was too frequent. The lake has been used to subsidize flows in drought times for a number of years. There are a growing number of people who believe that the river needs to be stressed with low flows

periodically, just like it would be without the dam. Otherwise the river is being endangered. So there is an argument pro and con. This argument needs to be worked out and discussed basin-wide.

- Talked to the WCRO-DEQ office in Roanoke. Overall positive feedback and support of the methodology. One improvement suggested was to be careful not to look at just one species, such as stripers, when optimizing flows as other aquatic species may have different optimums.
- Franklin, Bedford, and Pittsylvania Counties have all endorsed the concept. Letters were written to FERC and AEP in support of the protocol.
- Bill is also the SML representative to the AEP-SML re-licensing. Interesting debate on what makes sense business-wise and to the residents of the area. Talked to AEP, who participated in the model development. They say it is nice to have this but they still will go to the State Agencies for direction on a flow change when necessary. DEQ and DGIF are the ones that make the management changes during low flows. State agencies are not necessarily for or against a change in protocol. They are for more study to understand the situation. In fact an in-stream flow study has been proposed, which we believe is a great idea. But it will be several years before that is accomplished and another few years before results are known and a determination of how to factor in the results. We believe both can be done, that is conduct low flows study and test the protocol at the same time. There is no reason not to. We are going to move forward to talk to other water resource groups such as SWCB and DGIF officials. Want them to know we have a methodology, which may not be perfect, and it may not be the answer, but it must be kept alive.
- We are going to contact and sell the idea and to discuss it with our legislators. We want them to understand what this is and why it's important. We would like to get their support and get their help in working with agencies. We want to keep this before all the stakeholders in the basin. We do articles on the protocol every couple months for local publications and papers to let people know what is going on.
- Goal is to develop a protocol to be followed for releases from the Leesville project during periods of low inflows. That means we will develop this with a basin wide look and will eliminate local interest. Here at the lake we like high lake levels. But we can not stop the flow because downstream they want to fish and canoe. It must be balanced. Reasonable people will reach reasonable compromises and conclusions. Want to manage basin better with a fixed regimen. That way people at Kerr Lake know what to expect. The flow from SML is only a small proportion of that going to Kerr (<10 %) Under article 41 of the FERC license which allows DEQ to make flow variances there is a mechanism to test the protocol. There is no reason not to. We must develop, improve, and enhance it.
- **Question: If AEP joins or is required to join a power grid, what will be the effect on the protocol.** Do not think there will be an impact. He is talking about AEP joining a regional consortium where AEP controls ownership of lines but the regional group would control transmission over those lines. The power pool may be exercised to the extreme levels and at a greater frequency then in the past. Before this was about 1.5 ft. Now we may see 2 feet. Leesville will see more extremes. Water going downstream will not be effected. The biggest concern is what will our electric rates go to. What will it do to economic development. Charles Poindexter said Franklin County was very concerned about potential impact of deregulation and wanted to furnish some information they developed to the entire Committee through Greg. John indicated that this might be an important issue to get it on the next meeting agenda. This is a topic that can impact the entire basin. Senator Hawkins indicated that it appears rural rates will go up and urban rates, particularly in NJ will go down.

Greg Anderson, DEQ; "Overview of the Virginia Roanoke River Basin Advisory Committee".

This presentation was given to inform the new members about the group and its discussions. A brief history of the formation of the group was given, along with the establishing legislation, 2003 legislative changes, and the topics and issues discussed by the group.

- HJR 149 passed the house and senate in 2000. William (Ted) Bennet, Jr. was Chief patron of the bill and Ward L. Armstrong, Kathy J. Byron, Whittington W. Clement, C. Richard Cranwell, Frank M. Ruff, Clifton A. (Chip) Woodrum, Charles R. Hawkins, and W. Roscoe Reynolds were patrons.
- The bill recognized the Roanoke River as a great resource for the Commonwealth and basin localities. It further noted problems of drought, transfer of large quantities of water to other regions, PCB sediment contamination, and a VDH fish consumption health advisory due to PCB's.
- The bill cited the importance of cooperation between the local governments for the economic vitality and appropriate development of the region. It suggested that action was needed to ensure the adequacy of water resources to meet economic development and water conservation needs. It promoted greater citizen involvement and participation in water quality and quantity issues and encouraged basin-wide regional cooperation. It stressed that each basin locality needed to cooperate in establishing a framework to coordinate the management of water resources. It directed the State Water Commission (SWC) to study the desirability and feasibility of establishing an intergovernmental structure to facilitate the planning and coordination of water resources in the Roanoke River Basin.
- The SWC established a Sub-committee to conduct the study with Senator Charles Hawkins as the Chair. The sub-committee believed the public and all interested parties should be involved in determining the role and structure of the advisory body. Senator Hawkins appointed 13 citizen members to an advisory panel to examine whether a basin-wide entity should be created to advise state officials on the management of water resources in the Roanoke River Basin.
- Shelton Miles was named Chair of the advisory panel, while Russell Slayton was Vice-chair. Other members were W. Ewell Barr, Bobby Conner, Robert Dowd, Greg Godard, Jerry Lovelace, Hudson Reese, Richard Seekins, Jim Spitz, Mike Thacker, Russell Vaughn, and Jane Hogan.
- The advisory panel held public meetings in Brookneal (Naruna) - July 19, 2001, Williamston, NC - July 24, 2001, Roanoke Rapids (Weldon), NC - July 26, 2001, Roanoke - July 26, 2001, Collinsville - August 2, 2001, and Kerr Dam - August 2, 2001. The purpose was to receive comment on the following questions: Should a permanent advisory commission be established to facilitate the planning and coordination of water resources in the Roanoke River Basin? What should be the purpose and authority of that commission? How should the membership be constituted, i.e., number of members, selection process, and qualifications?
- The panel recommended the immediate creation of a Roanoke River Basin Commission and provided a list of purposes of the Roanoke River Basin Commission. The Commission was to consist of 14 members to include 11 appointed by the PDC's, 1 Senator, 1 delegate, and 1 U.S. Representative. All other legislators from the basin would be "ex officio" members. It further recommended that the establishment of a Virginia Commission should not be conditioned on the creation of a bi-state commission with NC.
- Another group held a meeting in Danville on December 17, 2001. The event was co-sponsored by Western Virginia Impact, the URR Roundtable and the Roanoke River Basin Association. Virginia State Sen. Charles Hawkins and North Carolina State Rep. James Crawford co-chaired the two-hour meeting. VA & NC legislators, regulatory and local government officials, conservation groups, representatives and private citizens attended it. Consensus was developed on the following key points: A single, bi-state commission is favored over separate commissions in each state; The commission would have eighteen (18) voting members, nine from Virginia and nine from North Carolina; Virginia's members would be selected as follows: one (1) each by the Governor, Senate and House of Delegates; and six (6) by Virginia's PDC's in the Roanoke River Basin; All Virginia's federal and state legislators in the basin would have ex-officio membership; North Carolina would decide how to select its nine (9) commission members and ex-officio members; Funding and staff would be shared equally by Virginia and North Carolina.
- The SWC considered the 2 different proposals and made the following recommendations:

That the 2002 Session enact legislation establishing the Virginia Roanoke River Basin Commission and the Virginia-North Carolina Roanoke River Basin Bi-State Commission and endorsed in concept the provisions contained in SB 460 and SB 553 listed as Appendices D and E in the Report of the State Water Commission (HD 4, 2003).

- The 2002 General Assembly passed legislation that established the Virginia Roanoke River Basin Advisory Committee as an advisory committee to the Virginia Delegation of the Roanoke River Basin Bi-State Commission. The purpose is to assist the delegation in fulfilling the duties and objectives of the Bi-State Commission. The original Committee had 18 Members; 2 State Senators, 4 State Delegates, 1 U.S. Representative, and 11 Citizen Members, nominated by the PDC's and selected by the Legislative Members. NC representatives, if appointed, would be "ex officio". The Chairman and Vice-chairman would be elected from members.
- John Feild was elected as Chairman. Mike McEvoy and Charles Poindexter were elected as Vice-chairmen.
- The citizen representatives appointed to the Virginia Delegation to the Roanoke River Basin Bi-state Commission by the Governor were Watt Foster, Haywood Hamlet, and Mike McEvoy.
- The purposes of the Roanoke River Basin Bi-state Commission (RRBBC) were as follows:
 1. Provide guidance, conduct joint meetings, and make recommendations to local, state and federal legislative and administrative bodies, and to others as it deems necessary and appropriate, regarding the use, stewardship, and enhancement of the Basin's water and other natural resources
 2. Provide a forum for discussion of issues affecting the Basin's water quantity, water quality, and other natural resources.
 3. Promote communication, coordination and education among stakeholders within the Basin;
 4. Identify Basin-related problems and recommend appropriate solutions
 5. Undertake studies and prepare, publish, and disseminate information through reports, and other communications, related to water quantity, water quality and other natural resources of the Basin.
- RRRBC would have 18 Voting Members, that is 9 each from VA and NC. The Virginia Delegation would consist of 6 State Legislator members of VRRBAC and 3 Citizen Members appointed by the Governor for 2-year terms. NC was to determine how to appoint the NC Delegation. VA and NC legislators not appointed to the Commission are "ex officio" members. Each state's delegation may meet separately to discuss Basin related issues affecting their state and report their findings independently of the Commission.
- RRBBC would have the following powers and duties: No regulatory power; Develop rules and procedures for conducting business; Establish standing and ad hoc committees which ensure balance between interests; Raise Funds; Establish a non-profit corporation; Enter into contracts and execute all instruments necessary as appropriate; and perform any lawful acts necessary as appropriate.
- RRBBC Standing Committees would be Permit Holders, Roanoke River Basin Interest Groups, Public Officials and Government Entities, and Agriculture, Forestry and Soil and Water Conservation Districts.
- Funding requirements for RRBBC would include the adoption of an annual budget, expenses to be shared and apportioned between VA and NC, VA Roanoke Basin PDC's shall bear a proportion of the expense, which may be in-kind contributions, and the Commission shall delegate a fiscal agent.
- 2003 legislative changes to VRRBAC are as follows: There are now 23 total members including 2 State Senators, 4 State Delegates, 1 U.S. Representative, 11 Citizen Members nominated by the PDC's and

selected by the Legislative Members, 2 Citizen Members “at-large”, one each appointed by the Senate Committee on Rules and the Speaker of the House of Delegates, and 3 Members from NC as appointed by NC; VA legislative, U.S. Representative, and NC members are “ex officio”, without voting privileges; Quorum is majority of voting members (7) (6 at present).

- VRRBAC term conditions are as follows: Legislative Members terms are coincident with term in office. PDC’s eligible for 2 appointments will appoint one citizen for 1 year and another for 2 years. PDC’s eligible for 1 appointment will appoint for 1 year. After initial staggering of terms appointments will be for 2 years. At - large citizen members will be appointed for 2 years. Citizen members are eligible for reappointment if they attend 1/2 of meetings during term of service. They are eligible for 3 consecutive 2-year appointments. NC members are appointed for 2 years.
- VRRBAC sub-committees are Agriculture and Forestry, Lake Interests, Municipal Interests and Permit Holders, River Interests, and Water.
- The 12 VRRBAC meetings have been held in the following locations: Blacksburg, Brookneal, Chatham, Clarksville (2), Danville, Ebony, Moneta, Richmond (2), South Boston, and Roanoke.
- **Topics and Issues:**

Funding of VRRBAC Activities: A mechanism for funding exists but depends upon appropriations to DEQ, which have not been made.

Importance of Natural Resources to the Economic Vitality of the Basin: People reside in and come to the Roanoke River Basin area to pursue various interests including vacation, lifestyle, esthetics, boating, fishing, etc. These activities and personal values help drive the economic engine of the local and regional area. Clean water and ample flow and supply are recognized as essential to existing beneficial uses and future economic growth. In addition, the importance of agriculture to our lifestyle and economy should be noted.

Inter-basin Transfer of Water: There is great concern that other large urban areas are looking at the Roanoke Basin as a source of water. Greensboro and the NC Triangle area have apparently studied the Roanoke Basin for this purpose.

Water Withdrawals: There are proposed water withdrawals from the Dan River sub-basin at Milton and Eden. There is concern about the impacts on the river system and neighboring communities.

Granville County, NC may be able to purchase the water intake/rights of the Burlington Plant in Clarksville. This could directly impact the Clarksville area.

Regulation of Flow and Storage:

- Flow events in one section of the basin can effect other parts.
- Drought/low flow conditions impact beneficial uses of the water and must be defined to aid the planning process.
- Increased storage has been discussed as an option to consider for future planning purposes.

Basin-wide Dialogue: A goal of the Committee is to open channels of communication. It is important that dialogue is representative of all areas of the basin. There must be rural and urban cooperation on water issues.

Policy and Planning:

- Followed the State Water Policy development and Robert Conner has represented VRRBAC on the Technical Advisory Committee.
- The Committee has been granted representation on the John H. Kerr 216 Sponsors Advisory Committee.
- Charles Poindexter is involved with the FERC re-licensing effort and Shoreline Management Plan development at Smith Mt. Lake.
- Other pertinent planning issues include the importance of defining low flow conditions, local control of land use decisions, public river access for recreation and fishing, flooding, storm water management, and water reuse.

Invasive Species: Discussed issues regarding Hydrilla and other invasive species such as Zebra mussels. The Lake sub-committee received public questions about the lack of funding to control Hydrilla at Lake Gaston and the effectiveness of treatment.

Recreation and Fishing: Concerns have been expressed to the committee about the striped bass and other fisheries. The importance of fishing and other water sports to the economic health of the region is noted.

Water Quality:

- The generally good water quality of the Roanoke basin is valued and recognized as a characteristic that must be preserved.
- Discussed Animal waste regulations, the Virginia Water Protection Permit Program, TMDLs, Low Impact Development (LID) Techniques, Best Management Practices (BMPs) for agriculture and urban development, Biological Source Tracking (BST), Nutrient Management Plans, Biosolids, and the impact of air pollution on water quality.
- Water reuse and desalination were also topics of discussion.
- Some general statistics of the basin follow: Total Drainage Area is 9,826 sq. mi. with Virginia being 6,298 sq. mi. (64%) and North Carolina 3,528 sq. mi. (36%); Represents 16% of the Commonwealth's total land area; Virginia Stream Miles are 9,504; Virginia Lakes are 97,910 acres, Basin Population is 665,572 (est. 2000).

Sub-committee Reports:

Agriculture and Forestry

- Heywood Hamlet gave Greg Anderson some material from Evelyn Janney to copy to VRRBAC members for consideration. The most expedient way to do this is to summarize the information in the minutes. Evelyn attended a Ruritan meeting in Check, VA and a concern expressed to her was the application of excess lawn fertilizer and the accompanying runoff during storm events, which polluted streams. Farmers are apparently required to use fertilizers according to directions and it was implied that similar guidelines should be developed for lawn maintenance.
- Another issue involves the contribution of wildlife to bacteria levels in impaired streams where a TMDL has been developed. Although wildlife often contributes similar numbers of bacteria as other sources there are no management practices taken to reduce this contribution. It is requested that the Committee consider passing a resolution requesting that management actions be formulated to reduce bacterial loading caused by wildlife in proportion to the contributions from wildlife. The management actions

possible include extended hunting seasons, both sex hunting seasons, youth seasons, and others. These actions can be achieved at little cost. Agricultural landowners provide a majority of the forage, which sustains the wildlife populations. This is a significant source and no actions are taken to reduce the source.

- The Committee will need to have some in-depth discussion of these issues prior to taking any formal action.

Municipal Interests and Permit Holders

Mike McEvoy reported that in the Upper Basin 7 localities including Roanoke City, Salem, Vinton, and Roanoke, Botetourt, Bedford, and Franklin Counties were working on a water supply plan for the region. Black and Veatch Corporation has produced a report on Water Supplies for the region. The report can be reviewed at the following link. <http://www.rvarc.org/work/water.pdf>

Lake Interests

Robert Conner reported that the series of meetings at the lakes had been completed where the concerns of the various communities were expressed.

Rivers:

Watt Foster reported that several changes had been made to the sub-committees report and that the report was available on the VRRBAC website. <http://www.deq.state.va.us/vrrbac/subcommittees/rivers.html>

Water

- Mike McEvoy reported that the Western Virginia Land Trust, Western Virginia Water Authority, Roanoke City, Blue Ridge SWCD, and others had contributed to produce a special edition newsletter featuring the Carvins Cove Watershed and the Catawba Valley. This document can be viewed at the following link. <http://www.westernvirginalandtrust.org/CoveSpecial-04.pdf>
- In addition a new master plan had been developed for stormwater for the Roanoke Area. It can be found at the following link. <http://www.roanokecountyva.gov/NR/rdonlyres/E921405E-079C-45F9-9CFB-A7B6636F156D/0/DraftStormWaterManagement72704.pdf>

Other Business:

- Bob Camicia asked if the Committee had made any recommendations on the Roanoke Flood Reduction Project. VRRBAC is generally not involved with the project. It was suggested that it be made a topic of discussion at a future meeting.
- Senator Hawkins reported that September 28-29 there is a retreat at Westmoreland State Park regarding solutions for nitrogen control, particularly the Chesapeake Bay area. The Senate and House Agriculture Committee along with other state groups is holding this to start determining how to begin discussions on these issues to produce legislation. This is a topic with statewide application. Va. Tech and other universities will be there to talk about options to look for non-point sources as the population increases. DEQ will be doing some background work and be directly involved in this retreat. They will also have information about the event. Senator Hawkins will provide the group a copy of the report when completed.
- Greg Anderson provided some details of a RGI Grant Proposal submitted by DEQ to EPA on behalf of VRRBAC.

Future Meetings:

The next meeting location will be in the Roanoke area in September. Greg Anderson and Mike McEvoy will arrange a date and location. That meeting has now been set for 10 am, 9-28-2004, at the Explore Park at milepost 115 on the Blue Ridge Parkway near Roanoke.